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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA,  
  
Plaintiff,

v.

MICHAEL VINCENT REGNO, JR.,  
  
Defendant.

**MEMORANDUM DECISION AND  
ORDER DENYING MOTION TO  
TRANSFER JURISDICTION OF  
SUPERVISED RELEASE**

Case No. 4:19-cr-00077-DN

District Judge David Nuffer

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Defendant Michael Vincent Regno, Jr. (“Regno”) filed Defendant’s Motion to Transfer Jurisdiction of Supervised Release (“Motion”)<sup>1</sup> seeking transfer of jurisdiction over his supervised release from this district to the District of Arizona. The government filed its Response to Defendant’s Motion to Transfer Jurisdiction of Supervised Release (“Response”).<sup>2</sup> The Motion is DENIED because there is no authority for this court to grant the Motion until Regno is on supervised release, and because the Motion may already be moot.

As the Tenth Circuit has explained, “[i]t is, of course, possible to transfer jurisdiction over a defendant's supervised release from one district court to another,” but a transfer is “only possible, however, when [a defendant] is actually released from prison.”<sup>3</sup> While 18 U.S.C. § 3605 does give courts the ability to “transfer jurisdiction over a probationer or person on supervised release,” such authority “is limited to defendants who are on supervised release.”<sup>4</sup> As

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<sup>1</sup> [Docket no. 58](#), filed October 21, 2024.

<sup>2</sup> [Docket no. 59](#), filed October 23, 2024.

<sup>3</sup> *United States v. Jones*, 766 F. App'x 671, 674 (10th Cir. 2019).

<sup>4</sup> *Id.* (internal quotation and citation omitted).

Regno is still incarcerated and not on supervised release, this court does not have the authority under 18 U.S.C. § 2605 to grant the Motion, which requires that the Motion be DENIED.

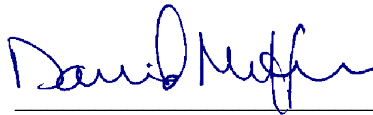
Additionally, the government has attached evidence that Regno's request for a supervision release plan including release to a residence with his wife in Arizona was submitted to the United States Probation Office in Arizona.<sup>5</sup> The government represents that this request has been approved.<sup>6</sup> This release plan approval should provide Regno the relief he seeks in his Motion and would render the Motion moot even if this court had authority under 18 U.S.C. § 3605.

**ORDER**

IT IS HEREBY ORDERED that the Motion<sup>7</sup> is DENIED.

Signed October 24, 2024.

BY THE COURT

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer  
United States District Judge

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<sup>5</sup> [Docket no. 60](#), filed October 23, 2024.

<sup>6</sup> Response at 2.

<sup>7</sup> [Docket no. 58](#), filed October 21, 2024.